

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111

Serial Number: 09/460,962

Filing Date: December 14, 1999

Title: APPARATUS AND METHOD FOR DETECTION OF COMMUNICATION SIGNAL LOSS

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Atty Dkt: P1582US00

REMARKS

Claims 15-17 are cancelled by this Amendment, and claims 19-24 are added. As a result, claims 1-14 and 18-24 are now pending in the application. The present Amendment incorporates the features of dependent claim 17 into independent claim 1, and cancels claim 17.

The Office Action includes: i) a rejection of claims 1, 4, 5, 7 and 15-17 under 35 U.S.C. §102(b) in view of U.S. Patent 6,252,501 ("Tice"); ii) a rejection of claims 2, 3, 6, 11 and 12 under 35 U.S.C. §103(a) in view of the Tice patent and further in view of U.S. Patent 5,990,868 ("Frederick"); and iii) an indication of allowable subject matter in claims 13, 14 and 18.

§102 and §103 Rejections of the Claims

The §102 rejection of claims 1, 4, 5, 7 and 15-17 in view of the Tice patent and the §103 rejection of claims 2, 3, 6, 11 and 12 in view of the Tice patent and further in view of the Frederick patent are respectfully traversed.

Claim 1 has been amended to include the features of dependent claim 17 (now cancelled). Claim 1 now recites "wherein the alarm is configured as part of said at least one peripheral device." Neither the Tice patent nor the Frederick patent, or these two patents taken as a hypothetical combination, disclose or suggest the aforementioned features.

The Tice patent mentions a plurality of output devices 26 wired to the control unit 12. While the output devices 26 serve an alarm function, they are part of the control unit 12 which is construed as the host device—the output devices 26 are not part of the wireless units 22, which are construed in the Office Action as the peripheral devices. The Frederick patent does not overcome this deficiency of Tice. Consequently, the Tice/Frederick hypothetical combination does not disclose or suggest an "alarm is configured as part of said at least one peripheral device," as recited in claim 1.

Accordingly, it is respectfully submitted that the Tice patent and the Frederick patent, either taken singly or as a hypothetical combination, do not disclose or suggest the features of the claimed invention. Therefore, withdrawal of the rejections is earnestly requested.

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Conclusion

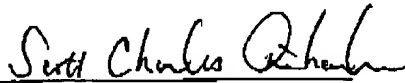
The pending claims are respectfully submitted to be in condition for allowance. Accordingly, notification to that effect is earnestly requested. In the event that issues arise in the application which may readily be resolved via telephone, the Examiner is kindly invited to telephone the Gateway, Inc. attorney at (605)232-1967 to facilitate prosecution of the application.

It is believed that the attached Fee Transmittal attends to the appropriate fees owed for the present Amendment. However, if necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-0439.

Respectfully submitted,

Date: June 2, 2003

By


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